

wherein the donor cell nucleus is from a mammalian differentiated cell in the G1 phase of the cell cycle. --

REMARKS

Claims 1-18 have been canceled. Claim 19 is new and is fully supported by the specification. Upon amendment, claim 19 is pending in this application. Claim 19 corresponds substantially to the claims in U.S. Patent No. 6,235,970, issued May 22, 2001.

Applicants have filed another application on November 21, 2001 (Attorney Docket No. 07681.0018-01) having a claim that corresponds substantially to the claims in U.S. Patent No. 6,235,969, issued May 22, 2001. The claims in the two applications differ in that the claim in applicants' other application (Attorney Docket No. 07681.0018-01) recites that the donor cell has passed start in the mitotic cell cycle and is in the G1 phase of the cell cycle. The claim in the instant application recites that the donor cell is in the G1 phase of the cell cycle, but does not recite that the cell has passed start.

As the specification explains, start occurs in the G1 phase of the cell cycle.

The mitotic cell cycle has four distinct phases, G1, S, G2, and M. The beginning event in the cell cycle, called start, takes place in the G1 phase and has a unique function. The decision or commitment to undergo another cell cycle is made at start. Once a cell has passed through start, it passes through the remainder of the G1 phase, which is the pre-DNA synthesis phase.

(Specification at 7, lines 26-32.) Therefore, cells in the G1 phase of the cell cycle that have passed through start have made the commitment to undergo another cell cycle.

Cells in the G1 phase of the cell cycle that have not passed through start have not made this commitment. Consequently, cells in the G1 phase of the cell cycle may have

LAW OFFICES

FINNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N. W.  
WASHINGTON, DC 20005  
202-408-4000

made or not made this commitment depending on whether they have passed through start.

If there is any fee due in connection with the filing of this Preliminary Amendment, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: November 21, 2001

By: 

Kenneth J. Meyers  
Reg. No. 25,146  
Tel: 202-408-4000  
Fax: 202-408-4400  
E-mail: MEYERSK@finnegan.com

00000126 11:21 AM  
11/21/01

LAW OFFICES

FINNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N. W.  
WASHINGTON, DC 20005  
202-408-4000